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ERIC ANDERSON, M.D. and FREMONT EMERGENCY SERVICES, INC. (erroneously sued and served herein as FREEMONT EMERGENCY SERVICE, INC.)

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

JOAN G. LOZOYA, Plaintiff, v. ERIC J. ANDERSON, M.D.; LINDSY BLAKE, M.D.; HOSPITAL CORPORATION OF AMERICA, INC.; MOUNTAIN VIEW HOSPITAL; FREEMONT EMERGENCY SERVICE, INC.; ALEXANDRA E. PAGE, M.D.; KAISER FOUNDATION HEALTH PLAN, INC.; KAISER PERMANENTE and DOES 1 through 30, inclusive, Defendants.	CASE NO. 07CV-2148IEG (WMC) **DECLARATION OF JANICE ECKES IN SUPPORT OF MOTION TO DISMISS BY DEFENDANTS ERIC ANDERSON, M.D. AND FREMONT EMERGENCY SERVICES, INC. TO PLAINTIFF'S FIRST AMENDED COMPLAINT** **Date : June 2, 2008** **Time : 10:30 a.m.** **Dept. : Courtroom 1** Complaint Filed: 11/8/2007

I, Janice Eckes, declare and state as follows:

1. I am an employee of Fremont Emergency Services, Inc. My job title is Vice President of Human Resources.

2. The following facts are within my personal knowledge and, if sworn as a witness, I could and would competently testify to them.

3. Fremont Emergency Services, Inc. is a medical group that contracts with hospitals to staff emergency departments. Fremont Emergency Services, Inc. credentials the physicians and performs other administrative functions. Fremont Emergency Services, Inc. is not a hospital and does not provide care and treatment to patients.

4. At the time of the incident, Eric Anderson, M.D. was an employee of Fremont Emergency Services, Inc.

I declare, under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed on this 11th day of April, 2008, at Las Vegas, Nevada.

Janice Eckes

Janice Eckes
Declarant

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 245 S. Los Robles Ave., Suite 600, Pasadena, CA 91101.

On April 14, 2008, I served the foregoing document described as:

DECLARATION OF JANICE ECKES IN SUPPORT OF MOTION TO DISMISS BY DEFENDANTS ERIC ANDERSON, M.D. AND FREMONT EMERGENCY SERVICES, INC. TO PLAINTIFF'S FIRST AMENDED COMPLAINT

on interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED MAILING LIST

[X] (BY MAIL)
[ ] I deposited such envelope in the mail at Pasadena, California. The envelope was mailed with postage thereon fully prepaid.
[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Pasadena, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
Executed on April 14, 2008, at Pasadena, California.

[X] (BY ELECTRONIC SERVICE)
[X] I served by electronic service a true copy of the above-described document. I am "readily familiar" with this firm's practice of processing correspondence by electronic service. Under that practice documents are submitted via electronic mail to each party and received simultaneously at their destination. Once the document has been transmitted, the electronic mail inbox provides a record indicating time of completion.
Executed on April 14, 2008 at Pasadena, California.

[ ] (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.
Executed on ??, at Pasadena, California.

[ ] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

[X] (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Emmy Zhin

SERVICE LIST

Re: Joan G. Lozoya v. Eric J. Anderson, M.D., et al.
Case No.: 07CV-2148IEG (WMC)

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